

To: Vendlinski, Tim[vendlinski.tim@epa.gov]
Cc: DIAMOND, JANE[Diamond.Jane@epa.gov]
From: Marcus, Felicia@Waterboards
Sent: Fri 8/30/2013 1:40:13 AM
Subject: Re: materials as requested [comparable flow diversions + RHA 408 permits + law review article]

Cool and thanks. So good to see you. Want to follow up next Friday?

Sent from my iPhone

On Aug 29, 2013, at 6:12 PM, "Vendlinski, Tim" <vendlinski.tim@epa.gov> wrote:

Hi Felicia:

Thanks for the opportunity to visit with you and Jane. I've attached two documents referenced during our conversation, and a third document that I think you will find interesting.

We addressed the question of comparable flow diversions in our recent comment letter on the Phase 1 SED (03-28-2013).

Please see section #5 on page 6 where we discuss data from other states and other countries.

The hyperlink for footnote #29 in our letter isn't functioning, but you can access the Richter et al. report at the pdf below.

<http://onlinelibrary.wiley.com/doi/10.1002/rra.1511/pdf>. The topic was also addressed by CABA at the Science of Natural Flows seminar (Les Grober was there representing SWRCB). Other estuaries where diversions exceed those of the Bay Delta include the Colorado River Delta where virtually all the freshwater was diverted.

Regarding Section 408 of the Rivers and Harbors Act, I've also attached the white paper prepared by the Sacramento Corps District on pertaining to the regulation of federal levees.

Finally, I've attached a proof version of a forthcoming law review article that profiles EPA's role in the Bay Delta process.

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<EPA Comments on SWRCB WQCP Phase I SED 3-28-2013.pdf>

<BDCP_RHA 408 permitting_Sacto Corps District white paper_03 12 13.docx>

<Doremus & Tarlock_Law Review Article on EPA's Role in Bay Delta 082013.pdf>